

Appl. No. 09/929,733
Atty. Docket No. 8206M
Amdt. dated 8/23/2005
Reply to Office Action of 5/23/2005
Customer No. 27752

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings includes changes to Figs. 18, 19 and 20. This sheet, which includes Figs. 18, 19 and 20, replaces the original sheet including Figs. 18, 19 and 20.

Fig. 18 has been amended to include typewritten numbers and letters. Further, Fig. 18 has been amended so that the lines and arrows are straight.

Fig. 19 has been amended to include typewritten numbers and letters. Further, Fig. 19 has been amended so that the lines and arrows are straight.

Fig. 20 has been amended to include typewritten numbers and letters. Further, Fig. 20 has been amended so that the lines and arrows are straight.

Applicants submit that the amended Figs. 18, 19, and 20 are now in condition for allowance. Reconsideration and withdrawal of the rejection on this basis is requested.

Attachments: Replacement Sheet

Annotated Sheet Showing Changes

Appl. No. 09/929,733
Atty. Docket No. 8206M
Amdt. dated 8/23/2005
Reply to Office Action of 5/23/2005
Customer No. 27752

REMARKS/ARGUMENTS

Claim Status

Claims 1-7, 10-40 are pending in the present application. Claims 41-42 are new claims. Claims 29-39 have been withdrawn pursuant to a restriction requirement. Applicants respectfully request to hold withdrawn Claims 29-39 in abeyance until indication of allowable subject matter. No additional fees are believed to be due.

Claim 1 has been amended to further clarify the invention. Support for the amendment can be found in the Specification as filed, *inter alia*, at page 8, line 26 to page 9, line 7 and page 23, lines 25-35.

Claim 7 has been amended to further clarify the invention. Support for the amendment can be found in the Specification as filed, *inter alia*, at page 12, lines 18-30.

Claims 10-15, 18-19, 23-24, 26-27, formerly dependent on cancelled claims 8 or 9, have been amended to further clarify the invention by depending from claim 1.

Claims 41-42 have been added to further clarify the claimed invention. Support for claim 41 can be found in the Specification as file, *inter alia*, at page 24, lines 16-21. Support for claim 42 can be found in the Specification as file, *inter alia*, at page 24, lines 16-26.

It is believed that these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 U.S.C. §112, Second Paragraph

Claims 10-27 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

The Office Action, at paragraph 6, suggests that claims 10-27 "depend directly or indirectly from cancelled claims 8 or 9." Applicants have amended claims 10-15, 18-19, 23-24, 26-27 to depend directly from currently amended claim 1, which includes the subject matter from cancelled claims 8 and 9. Also, Applicants submit that claims 16-17, 10-22, and 25, all formerly indirectly dependent from cancelled claims 8 or 9, now depend indirectly from currently amended claim 1.

Appl. No. 09/929,733
Atty. Docket No. 8206M
Amdt. dated 8/23/2005
Reply to Office Action of 5/23/2005
Customer No. 27752

It is believed that these changes do not involve any introduction of new matter. As such, Applicants respectfully submit that the rejections under 35 U.S.C. §112, second paragraph, have been overcome.

Rejection Under 35 U.S.C. §102 Over Rogers

Claims 1-4, 7, 10-19, 22-28 were rejected under 35 U.S.C. §102(b) as being anticipated by WO 98/44185, Rogers *et al.*, hereinafter "Rogers".

The Office Action, at paragraph 8, alleges that Rogers teaches:

[A]n article for treating fabrics in a clothes dryer which comprises: a) an adsorbent carrier substrate; b) a liquid cleaning/refreshment composition releasably absorbed in said substrate; said substrate being wholly or partly covered by (c) a fibrous coversheet having a minimum thickness (uncompressed) of about 8 mils (0.2 mm) (see abstract). The coversheets are constructed from hydrophobic fibers In Example 1, Rogers teaches a carrier sheet of Hydaspun® . . . covered on both sides with a topsheet and a bottomsheets of 8 mil Reemay fabric coversheet material, into which is poured a liquid fabric cleaning/refreshment product comprising water and an ethoxylated nonionic surfactant, wherein holes are punched in the carrier sheet in order to minimize its tendency to re-fold in-use.

Applicants submit that Rogers does not disclose each and every limitation as claimed in currently amended claims 1 or 7. Further, Rogers does not disclose each and every limitation of claims 2-4, 10-19, 22-28 as these claims all depend, directly or indirectly, from currently amended claim 1.

First, Rogers does not disclose, among other elements, a cleaning sheet according to currently amended claim 1. Currently amended claim 1 discloses a cleaning sheet comprising: "A cleaning sheet comprising: a viscoelastic material, wherein the material has a chemical composition which resists folding, wherein the material comprises a multiply substrate having at least one hydrophobic outer ply, and at least one hydrophilic inner ply" [emphasis added]. Support for this amendment can be found in the Specification as filed, *inter alia*, at page 23 lines 25-35. Claim 1 has been further amended to specify "wherein the material has a glass transition temperature below about 15°C and a melting point above about 200°C" [emphasis added]. Support for this amendment can be found in the Specification as filed, *inter alia*, at page 8, line 26 to page 9, line 7.

At best, Rogers discloses that:

Appl. No. 09/929,733
Atty. Docket No. 8206M
Amdt. dated 8/23/2005
Reply to Office Action of 5/23/2005
Customer No. 27752

[T]his hydroentangled carrier material provides additional unexpected benefit due to its resiliency. In-use, the articles herein are designed to function in a substantially open configuration. However, the articles may be packaged and sold to the consumer as sheets which are in a folded configuration. It has been discovered that the carrier sheets made from conventional materials tend to undesirably revert to their folded configuration in use. . . . While the hydroentangled materials used to form the carrier sheet herein have less tendency to re-fold during use than do other carrier materials, it has been determined experimentally that up to 60% refold does seem to occur under intended usage conditions when the coversheet is present.

Rogers, at page 10, first paragraph. Rogers discloses that "it is highly preferred that the carrier be in the form of an integral pad or sheet which substantially maintains its structural integrity throughout the process." *Id.* at page 7, last paragraph. Rogers nowhere discloses a multiply substrate. Moreover, Rogers nowhere discloses a multiply substrate having at least one hydrophobic outer ply and at least one hydrophobic inner ply. Further, Rogers nowhere teaches a carrier sheet being chosen specifically for having a glass transition temperature below about 15°C and a melting point above about 200°C. Applicants respectfully submit that Rogers nowhere discloses a cleaning sheet according to currently amended claim 1.

Second, Rogers does not disclose a cleaning sheet according to currently amended claim 7. Claim 7 discloses a cleaning sheet comprising:

[A]pertures such that the cleaning sheet resists folding wherein the cleaning sheet comprises a viscoelastic material wherein the coversheet comprises a first outer layer and a second outer layer, wherein the first outer layer is connected to the second outer layer by a plurality of bonding points, and wherein the bonding points pass through the apertures

[emphasis added]. Support for this amendment can be found in the Specification as filed, *inter alia* at page 12, lines 18-30.

At best, Rogers discloses:

[B]y providing holes or otherwise fenestrating the carrier sheet, this tendency to re-fold is substantially lessened even when the coversheet is used in the manner of the present invention. Thus in a preferred mode . . . a plurality of holes, slits, or other fenestrations are placed in the carrier sheet to help minimize re-fold when the article is used.

Appl. No. 09/929,733
Atty. Docket No. 8206M
Amdt. dated 8/23/2005
Reply to Office Action of 5/23/2005
Customer No. 27752

Rogers, at page 10, second paragraph. Rogers further discloses that the "carrier sheet can have holes punched therethrough in order to minimize its tendency to re-fold in-use. Indeed the holes can be punched through the entire article including the coversheet, itself, but this is not necessary." *Id.*, at page 43, last paragraph. Further, Rogers states that "it has been discovered that if the absorbent sheet which comprises the core is not bonded to the 'envelope' provided by the coversheet in-use, the carrier sheet tends to crumple and bunch-up inside the coversheet." *Id.*, at page 5, second paragraph. Applicants respectfully submit that Rogers nowhere discloses a coversheet according to currently amended claim 7.

Third, Applicants point out that claims 2-4, 10-19, 22-28 all depend, directly or indirectly, from currently amended claim 1. Applicants respectfully submit that the rejections on claims 2-4, 10-19, 22-28 have been overcome as these claims depend from currently amended claim 1.

As such, it is submitted that claims 1-4, 7, 10-19, 22-28 meet the requirements of 35 U.S.C. §102. Reconsideration and withdrawal of the rejections are therefore requested.

Rejection Under 35 U.S.C. §103 Over Rogers

Claims 5-6, 20-21, 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rogers

The Office Action, at page 5, paragraph 11 aptly recognizes that Rogers, "fails to specifically disclose (1) the carrier sheet being prepared by the recited technology in claims 5-6, and (2) the coversheet comprising ink, paint or consumer signal components." Applicants agree with this statement to the extent that Rogers fails to specifically disclose, among other things, the two points noted above. Applicants, however, disagree with the following remarks to the two points made in the Office action.

Regarding point (1), the Office Action alleges that:

[T]he present claims are product-by-process claims, hence, any difference imparted by the product by process limitations would have been obvious to one having ordinary skill in the art at the time the invention was made because where the examiner has found a substantially similar product as in the applied prior art, the burden of proof shifted to the applicant to establish that their product is patentably distinct, not the examiner to show the same process of making.

Applicants respectfully disagree and submit that currently amended claim 1 and claims which depend thereon are patentably distinct from Rogers.

Appl. No. 09/929,733
Atty. Docket No. 8206M
Amdt. dated 8/23/2005
Reply to Office Action of 5/23/2005
Customer No. 27752

Attention is again directed to currently amended claim 1 which claims that “the material comprises a multiply substrate having at least one hydrophobic outer ply, and at least one hydrophilic inner ply” and “wherein the material has a glass transition temperature below about 15°C and a melting point above about 200°C” [emphasis added]. Applicants respectfully submit that the product of amended claim 1 is not substantially similar to any product taught in Rogers for the reasons presented above.

Further, Applicants submit that Rogers actually teaches away from the present invention as claimed in claim 1 because Rogers teaches that the “cleaning and/or refreshment compositions are used in combination with an absorbent carrier substrate.” Rogers, at page 7, third full paragraph. Applicant submit that the Rogers carrier substrate is described as a single ply substrate and not a multiply substrate. Applicants submit that one of skill in the art, upon reading Rogers’s disclosure of an absorbent carrier substrate, would not think to use a multiply substrate having at least one hydrophobic outer ply, and at least one hydrophilic inner ply.

Moreover, Applicants assert that Rogers does not provide any motivation or suggestion towards the preparation of the material by “solid state post formation technology” as recited in claim 5 of the present invention. Rogers nowhere discusses or suggests solid state post formation technology. Applicants further assert that Rogers does not provide any motivation or suggestion towards the preparation of the material by “differential elongation composite technology” as recited in claim 6. Rogers nowhere discusses or suggests differential elongation composite technology.

As such, Applicants submit that Rogers neither teaches nor suggests each and every limitation of the present invention as claimed in claim 5 and claim 6.

Regarding point (2), which recognizes that Rogers fails to specifically disclose the coversheet comprising ink, paint or consumer signal components, the Office Action, at paragraph 11, alleges that:

[I]t would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate consumer signal in the form of ink or paint in the coversheet of Rogers because every article of commerce is provided with an indicia in these forms.

Applicants respectfully disagree and submit that Rogers actually teaches away from incorporating consumer signals as described and claimed in the present invention.

Appl. No. 09/929,733
Atty. Docket No. 8206M
Amdt. dated 8/23/2005
Reply to Office Action of 5/23/2005
Customer No. 27752

Applicants submit that Rogers, as a whole, teaches away from incorporating consumer signals and using ink and paint as claimed in claims 20-21 and 40 of the present invention. Rogers specifically discloses that, "nonwoven or woven fibrous sheet materials can be used in a flat single layer or as multiple layers as the coversheet for the absorbent carrier core herein. . . This coversheet may be further covered by a second coversheet." *Id.* at page 6, last paragraph [emphasis added]. Notably, Rogers teaches use of a second coversheet which obscures visibility to the coversheet.

Applicants respectfully submit that Rogers, teaching a cleaning sheet which obscures visibility to coversheet, directly teaches away from the present invention as claimed in claims 20-21, which claims to a coversheet having hydrophobic ink, paint and/or other materials applied. Specification as filed, page 24, lines 22-26. Applicants further submit that by teaching a second coversheet to be placed over the coversheet, Rogers directly teaches away from claim 40, wherein "consumer signal component comprises a material that is capable of being sensed by a consumer's sensory system". *Id.* at page 26, line 16 to page 27, line 5.

As such, Applicants respectfully submit that Rogers nowhere teaches or suggests each and every limitations of the present invention as claimed in 20-21, and 40.

Accordingly, it is submitted that claims 5-6, 20-21, and 40 meet the requirements of 35 U.S.C. §103. Reconsideration and withdrawal of the rejections are therefore requested.

All claims are believe to be in condition for allowance. Should the Examiner disagree, Applicants respectfully invite the Examiner to contact the undersigned attorney for Applicants to arrange for a telephonic interview.

Appl. No. 09/929,733
Atty. Docket No. 8206M
Amdt. dated 8/23/2005
Reply to Office Action of 5/23/2005
Customer No. 27752

CONCLUSION

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing amendments and remarks, reconsideration of the application and allowance of claims 1-7, 10-28 and 40-42 are respectfully requested.

Respectfully submitted,
THE PROCTER & GAMBLE COMPANY

By 

Mark A. Charles
Attorney for Applicant
Registration No. 51,547
Tel. No. (513) 627-4229

Dated: August 23, 2005
Customer Number: 27752

11/11

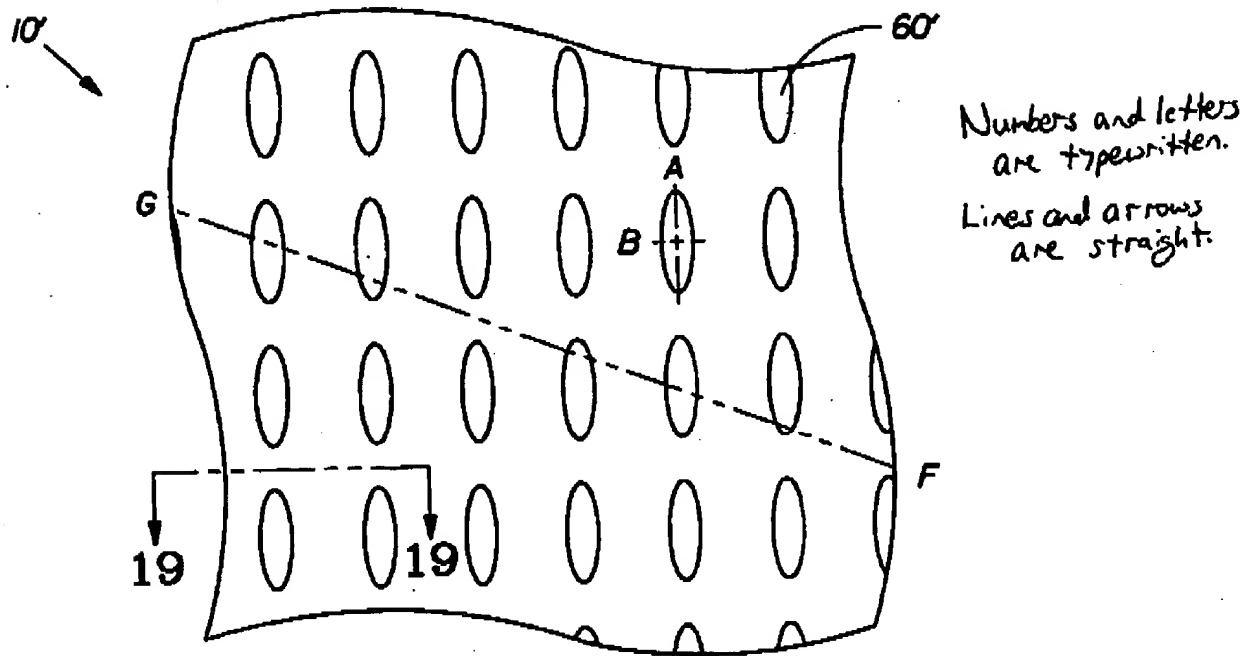


Fig. 18

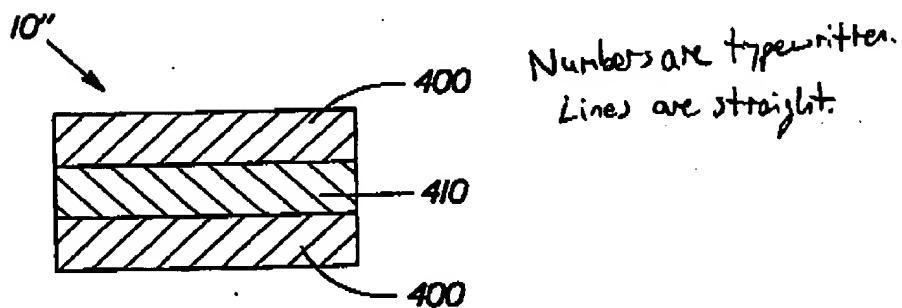


Fig. 19

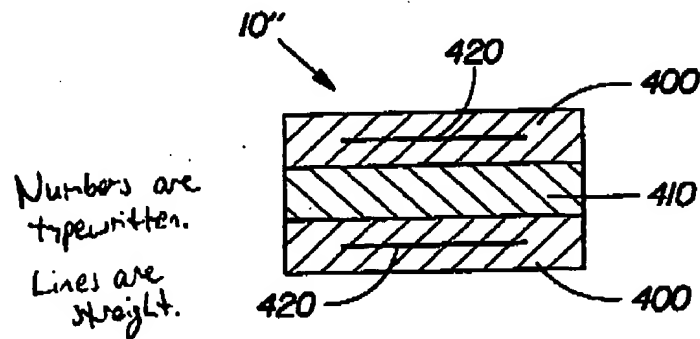


Fig. 20